AN AGREEMENT BETWEEN A BABYLONIAN FEUDAL LORD AND HIS RETAINER IN THE REIGN OF DARIUS II

BY

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INTRODUCTION

The Museum of Anthropology of the University of California preserves a small number of cuneiform tablets; among these I selected for publication No. 9–68, a late Babylonian text dated in the second year of Darius II (424–404 B.C.). The tablet is exceptionally well preserved and is a gift of Mrs. Phoebe A. Hearst. It measures 95 mm. in width, 76 mm. in height, and 31 mm. in thickness.

The tablet belongs to the well-known archive of the Murašû Sons of Nippur, of which seven hundred and thirty documents were discovered, dated in the reigns of Artaxerxes I and Darius II, and now preserved in the former Imperial Ottoman Museum of Constantinople and the Museum of the University of Pennsylvania.

In some ways the California document is one of the most interesting of the whole archive. It elucidates, I believe, to a certain degree the position which the sons of Murašû held in the social organization of the Babylonian province of the great Persian empire. Its significant content caused me to go over the published material of the archive again, in order to ascertain the station of the members of this house of Murašû.

The content of 9–68 is as follows: Gadal-Iâma, a Western Semite, as his and his father's and grandfather's names betray, asks Rîmût-^{d}Ninurta, a scion of the house of Murašû, for the fief formerly occupied by the petitioner's grandfather, Bariki-^{d}El, and set aside by the latter in agreement with the brother of Rîmût-^{d}Ninurta, ^{d}Enlil-šum-iddina, for Raḫim-^{d}El, his father. Whether Raḫim-^{d}El ever occupied the fief is not stated. But the grandson now asks to be inducted into the fief, which is here more specifically designated as "horseland." This term, taken in connection with the term "bowland," occurring in other documents of the archive, must signify land granted to a knight, while the "bowland" was land granted to retainers of a lower order, the archers.

In addition to the land he asks for a horse, together with the necessary military equipment, and also a certain sum of money for each time that the king calls him to Erech. In this city, apparently, were established the military headquarters of the district within which the fiefland was situated. The petitioner's request is granted, and the fief is turned over to him for a period which is intentionally left indefinite. As long as he complies with the necessary terms of the trust he may retain it; otherwise he will have to return it to the grantor through a high Persian official, the administrator of the clerks of the warriors, namely, the secretary of war.

The document is thus clearly a feudal grant; the grantor is a feudal lord, and the grantee one of his knightly retainers. Had not previously studied documents of this Murašû archive received a different interpretation no doubt could ever be entertained as to this explanation. But for the last thirty years that archive has been understood in quite a different light. A certain number of the documents in the archive are of a legal and business nature. This fact has led to the rather hasty conclusion that the house of Murašû was a large Babylonian business firm, and it has been referred to in an offhand "popular" manner of speaking, as a banking concern, similar to the house of Rothschild, or of Morgan. This view, of course, is far off the mark. In the strictest sense, private banking establishments never existed in Babylonia. The temples were the great financial clearing houses, and any individual with sufficient means might carry on loan transactions. But that does not constitute a bank.

Furthermore: The archive also contains a large body of documents which are distinctly feudal in nature; which are concerned with feudal tenure, copy-hold, distraint upon fiefs, fiefland taxes, et cetera. This second class of document places the sons of Murašû in quite a different position from that of mere masters of a large business. Far more than that, they are now seen to be feudal lords, whose position entails a twofold authority; namely, as liege lords on the one hand and as agrarians, on the other. Herein lies the true explanation of the twofold nature of their recorded transactions. Studied in this light, the documents will be found to yield a large number of parallels between Babylonian feudalism and the European feudalism of the Middle Ages.

TRANSLITERATION

1 ^{m}Ga-da-al-ia-a-ma apil ša ^{m}Ra-ḫi-im-^{d}El ina ḫu-ud lìb-bi-šu
2 a-na ^{m}Ri-mut-^{d}Ninurta apil ša ^{m}Mu-ra-šú-ú ki-a-am iq-bi um-ma
3 ^{šeu}zêru zaq-pu u pî šul-pu bît sîsû ša ^{m}Ra-ḫi-im-^{d}El ma-la
4 zittu ša ^{m}Ba-ri-ki-^{d}El ša a-na maru-u-ut ^{m}Ra-ḫi-im-^{d}El
5 a-na ^{md}Enlil-šum-iddina aḫi-ka a-na lìb-bi il-qu-ú u kul-la-ta
6 išten sîsû a-di ḫu-šu-ki-šu u pu-ut šad-da-tum išten DI ^{maškuḫ}at-tum
7 išten ši-ir-i'-a-nu ^{d}Ninurta išten kar-bal-la-tum ša ši-ir-i'-an-nu
8 išten ku-ú-ra-pa-nu ša ^{maškuḫ}at-tum išten kar-bal-la-tum ^{maškuḫ}at-tum išten ^{maškuš}al-ṭu ša e-ru-ú
9 120 ši-il-ta-aḫ šu-uš-ku-pu u ši-il-ta-aḫ gi-ir-ri išten ri(?)-e-b/pu ^{d}Ninurta
10 ša ^{maškuš}al-ṭu 2 ^{isu}as-ma-ru-ú ^{d}Ninurta ù 1 ma-na kaspu
11 a-na ṣi-di-tum a-na ṣi-bu-tu ša šarri
12 a-na a-la-ku a-na Uruk^{ki} i bi-in-nam-ma
13 a-na muḫ-ḫi bît sîsî ma-la zittu-ka lu-ul-lik ár-ku ^{m}Ri-mut-^{d}Ninurta iš-me-šú-ma
14 išten sîsû u ú-nu-ut ta-ḫa-zu gab-bi a-ki-i ša ina la-li en-na ša-ṭar
15 ù 1 ma-na kaspu a-na ṣi-di-tum a-na ṣi-bu-ut-tum ša šarri ana
16 a-na a-la-ku a-na Uruk^{ki} en-na eli bît sîsî
17 šanâti id-daš-šu pu-ut la ša-ka-nu ša pi-qu-ud ^{m}Ga-da-al-ia-a-ma
18 na-ši ú-ša-az-za-az-ma ^{m}Ga-da-al-ia-a-ma it-ti
19 ^{m}Za-bi-in ^{amel}šak-nu ša ^{amel}si-pi-ri^{meš} ša ^{amel}ú-qu a-na
20 ^{m}Ri-mut-^{d}Ninurta apil ša ^{m}Mu-ra-šú-ú i-nam-din
21 ^{amel}mukînu ^{md}Enlil-ki-šir u ^{md}Nergal-šum-uṣur aplê^{meš} ša ^{m}Ardi-^{d}Enlil
22 ^{md}Enlil-šum-iddina apil ša ^{m}Tat-tan-nu ^{m}Ap-la-a aḫi ša ^{md}Bêl-šar-uṣur
23 ^{amel}šak-nu ša ^{amel}Šú-ša-ni ^{meš}aplê ^{meš}ḫi-sa-a-nu apil ša ^{md}Marduk-bêl-šu-nu
24 ^{m}Ardi-ia apil ša ^{md}Ninurta-aḫ-iddina ^{m}Ardi-^{d}Gula apil ša ^{md}Ninurta-nadin
25 ^{m}Ardi-ia apil ša ^{m}Bul-luṭ-a ^{md}Enlil-mukîn-aplu apil ša
26 ^{m}Ka-ṣir ^{m}Na-din apil ša ^{m}Ṣilli-^{d}Ninurta
27 ^{amel}šangû ^{md}Ninurta-ab-uṣur apil ša ^{md}Enlil-šum-iddina Nippuru^{ki} ^{arḫu}ṭebîtu ûmu 18^{kam} šattu 2^{kam}
28 ^{m}Da-ri-ia-a-muš šar mâtâte.

R. ^{abnu}kunukku ^{m}Ardi-ia apil ša ^{m}Bul-luṭ-a
^{abnu}kunukku ^{m}Ardi-^{d}Gula apil ša ^{md}Ninurta-nadin
R.E. ^{abnu}kunukku ^{md}Enlil-šum-iddina apil ša ^{m}Tat-tan-nu
U.E. ^{abnu}kunukku ^{m}Apla-a aḫi ša ^{md}Bêl-šar-uṣur ^{amel}šak-nu ša
^{amel}Šú-ša-ni^{meš} apil ḫi-sa-a-nu apil ša ^{md}Marduk-bêl-šu-nu
^{abnu}kunukku ^{m}Ga-da-al-ia-a-ma apil ša ^{m}Ra-ḫi-im-^{d}El
L.E. ^{abnu}kunukku ^{m}Ardi-ia apil ša ^{md}Ninurta-aḫ-iddina
^{abnu}kunukku ^{md}Enlil-ki-šir apil ša ^{m}Ardi-^{d}Enlil

TRANSLATION

Gadal-Iâma, the son of Raḫim-^{d}El, spoke of his own free will to Rîmût-^{d}Ninurta, the son of Murašû, thus: "The orchard land and the cultivated grain land, (being) the horseland of Raḫim-^{d}El, as much as is the portion of Bariki-^{d}El, which they received for the sonship of Raḫim-^{d}El from ^{d}Enlil-šum-iddina, your brother, and (which) you are holding, (together with) one horse including its ḫušuku and harness(?), one DI of ḫattum leather, one ^{d}Ninurta cuirass, one helmet belonging to the cuirass, one jerkin of ḫattum leather, one cap of ḫattum leather, one shield of bronze, one hundred and twenty šiltaḫu for the overthrow and the šiltaḫu of the road, one ^{d}Ninurta-rêbu(?) pertaining to the leather shield, two lances of ^{d}Ninurta and one mina of silver for provisioning when going to Erech at the command of the king, give me and let me go to the horseland, as much as is your portion."

Whereupon Rîmût-^{d}Ninurta agreed to it and will give him, in addition to the horseland for years, one horse and all the weapons of war, in accordance with the full description, and one mina of silver for provisioning whenever going to Erech at the command of the king.

Gadal-Iâma warrants that in case of non-observance of the trust, he will deliver (it over) and Gadal-Iâma together with Zabin, the administrator of the clerks of the warriors, will give (it) to Rîmût-^{d}Ninurta, the son of Murašû.

Witnesses: ^{d}Enlil-kišir and ^{d}Nergal-šum-uṣur, the sons of Ardi-^{d}Enlil; ^{d}Enlil-šum-iddina, the son of Tattannu; Aplâ, the brother of ^{d}Bêl-šar-uṣur, the administrator of the Shushanites, aplê ḫisânu, the son of ^{d}Marduk-bêl-šu-nu; Ardia, the son of ^{d}Ninurta-aḫ-iddina; Ardi-^{d}Gula, the son of ^{d}Ninurta-nadin; Ardia, the son of Bulluṭa; ^{d}Enlil-mukîn-aplu, the son of Kaṣir; Nadin, the son of Ṣilli-^{d}Ninurta; the priestly scribe ^{d}Ninurta-ab-uṣur, the son of ^{d}Enlil-šum-iddina.

Nippur, the eighteenth day of Ṭebîtu, the second year of Darius, king of the countries.

R. seal of Ardia, the son of Bulluṭa
seal of Ardi-^{d}Gula, the son of ^{d}Ninurta-nadin
R.E. seal of ^{d}Enlil-šum-iddina, the son of Tattannu
U.E. seal of Aplâ, brother of ^{d}Bêl-šar-uṣur, the administrator of the Shushanites, the apil ḫisânu, the son of ^{d}Marduk-bêl-šu-nu
seal of Gadal-Iâma, the son of Raḫim-^{d}El
L.E. seal of Ardia, the son of ^{d}Ninurta-aḫ-iddina
seal of ^{d}Enlil-kišir, the son of Ardi-^{d}Enlil

NOTES

Line 2: Rîmût-^{d}Ninurta is called, loosely, a son of Murašû; he was the grandson of the latter. His father's name was ^{d}Enlil-ḫatin. Rîmût-^{d}Ninurta had a brother and a cousin by the name of Murašû.

Line 6: ḫušuku occurs here for the first time.

Line 7: ši-ir-i'-a-nu is a peculiar spelling of siriam.

Line 8: the copy reads ša e-lu-ú; a reexamination of the tablet makes the reading of lu doubtful; it seems to be a poorly written ru.

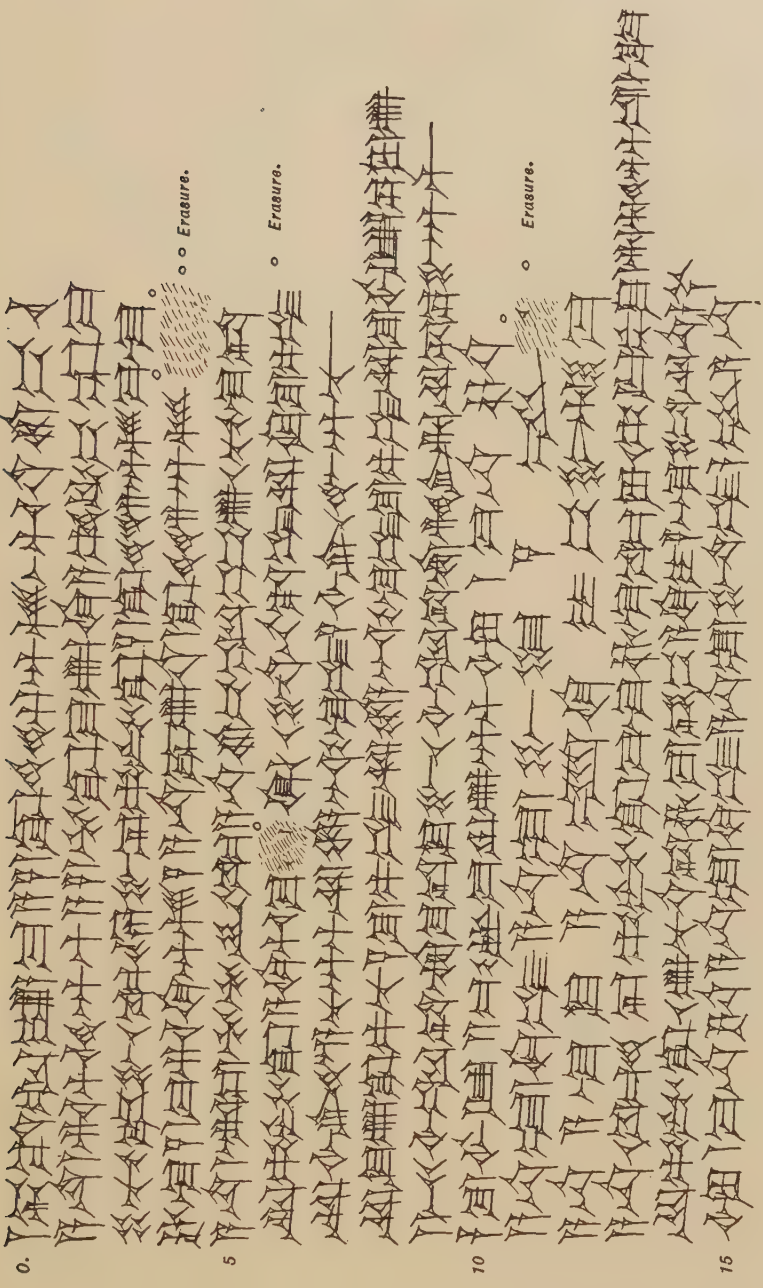
Line 10: the money stipulation concerns the *aes militare* which occurs in other Murašû texts, f. i., BE II, 162:9–11; BE II, 194:10–11; BE X, 61:14–15; BE X, 62:10–12.

Line 16: suppress the second ana, which is a faulty repetition on the part of the scribe.

Line 19: Zabin and Ispitammu (BE II, 29) are superior Persian officials who, during the first few years of Darius II, took care also of the collection of the feudal taxes which the house of Murašû had to pay to the Persian ruler (BE II, 29 and II, 34). On sipiru see now JAOS, 48 (1928), pp. 109–135.

A NOTE TO VOL. 9, PT. I, NO. 2

Emend the reading of lines 15 and 16 on page 6 to: ^{d}Nabû-šêtiq-urra told thee "give [barley] to the house." Idin I had considered to be a defective writing for iddin, but this is not the case. In fact the imperative gives a smoother translation.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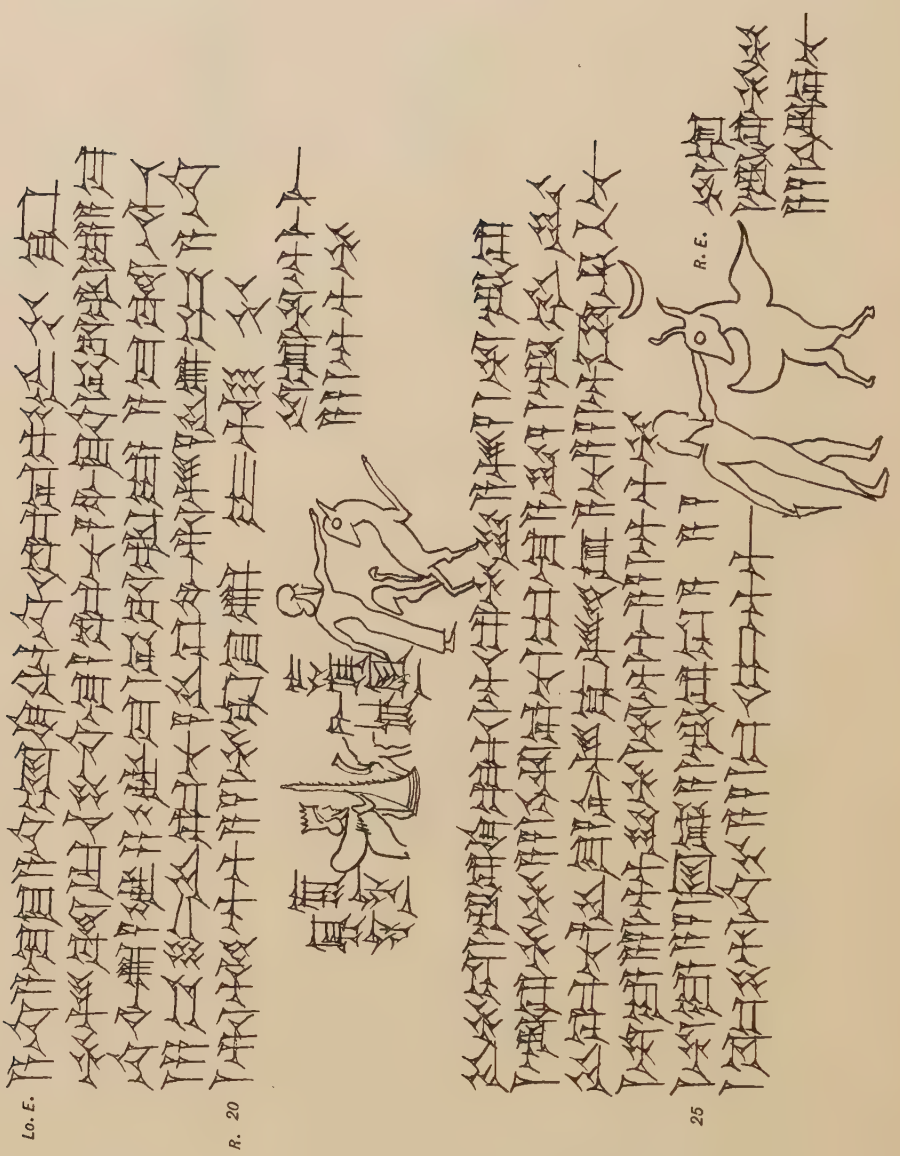
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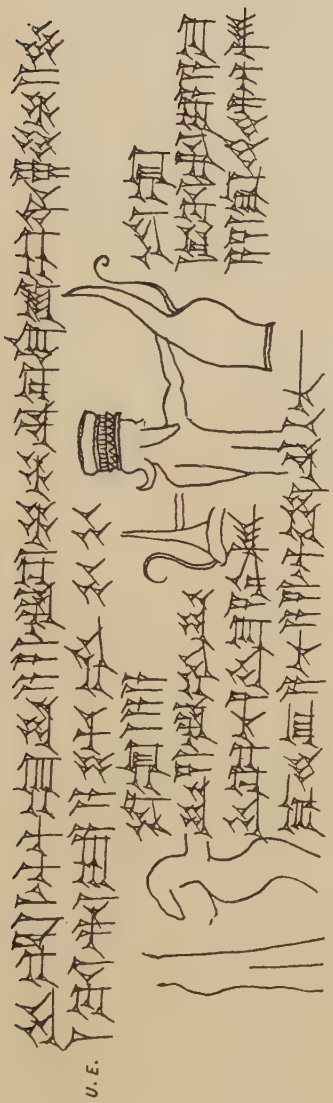
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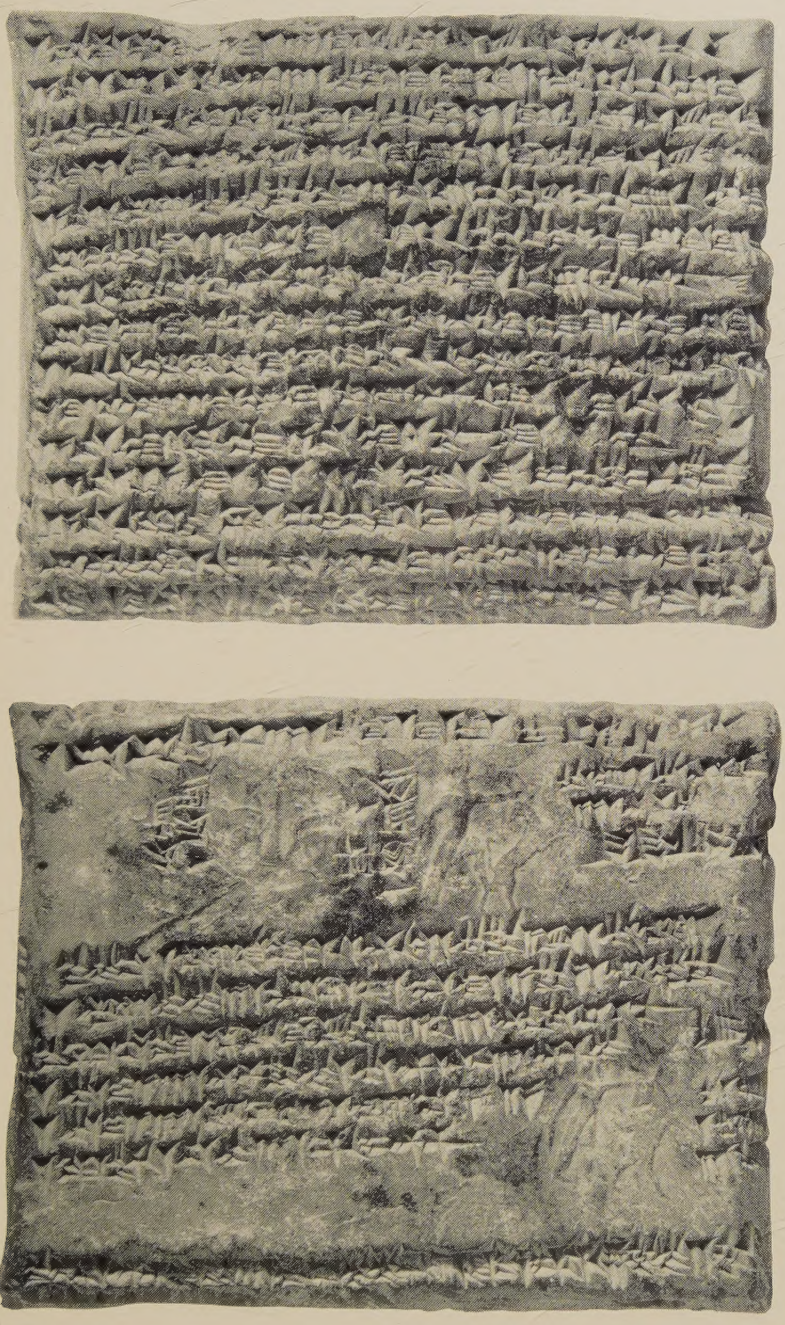

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